

Delaware Tribe of Indians
Delaware Tribal Council Meeting
Monday, January 24, 2011
Delaware Community Center
Unapproved draft
Respectfully Submitted by Verna Crawford, Secretary

The January 24, 2011 meeting of the Delaware Tribal Council was called to order by Chief Paula Pechonick at 6 p.m. at the Delaware Community Center.

Chet Brooks gave the invocation.

Secretary Verna Crawford called roll, present were Chief Paula Pechonick, Assistant Chief Chet Brooks, Treasurer Jan Brown, and member Wayne Stull. Bill Hatch was absent. Chet Brooks reported that Bill had an emergency dental appointment.

Chief Pechonick welcomed guest (Jenifer Pechonick, Charles and Mary Randall, Nat Young and Atty. Vicki Sousa). She invited any guest to address the Council.

Employees present were Ann Swearingin, Trona Walls and Lacey Harris.

Chief Pechonick called for a motion to accept the agenda.

Motion was made by Wayne Stull and seconded by Jan Brown to accept the agenda as presented. Motion approved with five yes. (Pechonick, Brooks, Brown, Crawford, Stull)

Chet Brooks moved to approve the minutes of the December 20, 2010 and November 22, 2010 meeting with corrections. Wayne Stull seconded the motion. Chief Pechonick noted that the corrected minutes for the November 22, 2010 meeting were attached to the December minutes for clarification.

Vicki Sousa asked if the entire minutes of meetings were presented or if it was just a summary? Secretary Crawford stated that the minutes were a summary of the meeting.

Sousa asked weather or not the Council meetings are being taped.

Crawford replied yes, they are audio and video recorded than copied to DVDs. Both the audio and DVD's are kept in a fire proof safe.

Vicki Sousa said she had an issue in Nov 22nd minutes regarding the Draft proposal of a Final Settlement Agreement Regarding Certain Claims, Docket No. 02-26L to be presented to the United States Court of Federal Claims. The suggested correction was, "Vicki advised that we were bound by the Federal Court of Indian Claims historical statements". Verna said the minutes would be corrected as directed and also by reviewing the video.

Verna asked if there were any corrections to the December minutes, No corrections were presented to the December minutes.

The motion to approve the minutes passed with five yes. ((Pechonick, Brooks, Brown, Crawford, Stull)

Chief Pechonick called for the treasurer's report.

Treasurer Jan Brown gave the report, stating that a page added at the end of the financials was prepared to give a basic account of where the money comes from and where it goes as requested at the last meeting. I am not completely happy with this, but it is a work in progress, Brown stated.

Anne Swearingin suggested presenting year to date and monthly information. Ann and Financial Director Trona Walls will work on that Jan.

Verna Crawford moved to approve the treasurer's report pending audit, Wayne Stull seconded.

Motion passed with five yes. ((Pechonick, Brooks, Brown, Crawford, Stull).

Anne Swearingin gave office report. She stated that 14 new people have applied for enrollment.

Wayne Stull moved to approve Resolution 2011-01 to accept the 14 new Tribal Members, seconded by Chet Brooks.

Motion carried with five yes. ((Pechonick, Brooks, Brown, Crawford, Stull).

Chief Pechonick asked if this brings our enrollment up to date? Ann replied yes.

Continuing with the office report, Ann said Trona Walls has been getting bids for the concrete and other work around the pond for the walking path. She has also been supervising a crew to clean out and organize the materials stored in the poolroom and the storage barn. Everyone has been working hard on this project in addition to their regular duties. We are in the process of finishing up the Tribe's audit and starting the Trust audit this week.

Ann advised the Council that Brice Obermyer, Director of the Historic Preservation Department, would like to hire a part-time bookkeeper for 10 hours a week at \$10 per hour. He has a person he would like to hire. She announced that the contract cleaning person, who has worked for the Tribe for four years, has requested to be hired as a part-time employee. His reason for requesting the change is so taxes may be held out of his pay and he will not have to deal with paying his own taxes. Ann said that she would ask him if he would agree to have a backup withholding. It was decided that both positions would be addressed in Executive session.

Chief Pechonick stated that this bunch has been cleaning house. One longtime problem has been that the enrollment files have been in the storage barn. Now we are cleaning out a room in the office building to have better access to them.

Wayne Stull commented that people keep contacting him about enrollment. Discussion established that we do not have a genealogy department at this time. It is the current policy to send an enrollment form to applicants and they provide the genealogy information.

Moving on to unfinished business, Chief Pechonick noted the need to appoint a new Council member. She opened the floor for nomination. Verna Crawford nominated Cass Smith. Wayne Stull nominated Jenifer Pechonick. Chet Brooks nominated Joe Brooks. The vote was taken by secret ballot. Jenifer Pechonick was elected by three votes; both Smith and Brooks received one vote.

Assistant Chief Chet Brooks administered the oath of office to Jenifer, who then took her seat at the Council table.

Moving on to new business, Ann Swearingin introduced the new employees present, Trona Walls, Financial Director and Lacy Harris, receptionist. Other new employees are Shirley Moore, administrative assistant, Frank Hensley, EPA Director and Vicki Bratton, EPA assistant.

Don Mason was on the agenda address the possible startup of a Veterans affairs Committee. This was tabled till Mr. Mason is in attendance. The Delaware Color Guard addressed General Council requesting funding. Cass Smith has previously submitted a similar plan. The council agreed that all the parties, Mr. Mason, Mr. Smith and John Sumpter, Color Guard representative, need to get together and come up with one plan. The Delaware War Mothers should be consulted also.

Addressing payment of the bill to Dorsey and Whitney, an attorney firm that was employed by the Tribe a few years ago. At one time we were paying them \$500 per month. The balance is about \$35,000. Vicki Sousa was directed to contact the firm and make an offer and report to the Council at the February 7 meeting.

Chief Pechonick moved on with a discussion sending representatives to RES 2011, (Reservation Economic Summit) in Las Vegas, Nevada in March. The Conference will be held March 13 to 17. The estimated cost per person will be \$1,700 including air fair.

Jenifer Pechonick made the motion to make preparations for 10 people including Chief Pechonick, Chet Brooks, Wayne Stull, Jan Brown, Verna Crawford, Trona Walls and Vicki Sousa, to attend RES 2011 and ask DEA (Delaware Economic Authority) and the Trust Board to assist with the expenses. Wayne Stull seconded the motion.

Motion carried with six yes. (Chief Pechonick, Brooks, Brown, Crawford, Stull, J. Pechonick).

Chief Pechonick asked who would be interested in attending NCAI mid year conference in Milwaukee June.

Verna Crawford moved to send Tribal Representatives to NCAI mid-year. Wayne Stull seconded the motion.

Motion passed with six yes. (Chief Pechonick, Brooks, Brown, Crawford, Stull, J. Pechonick).

Chief Pechonick asked if there was other business to address.

Jan Brown noted that changes will be made to the website. She said the changes will appear in February, including the color and new drop downs menus will be added.

February 7 meeting will be attended by Ken Belmar and Dick Willard addressing the Bond issue.

The Delaware Housing Authority will also be on the agenda.

Chet Brooks moved to go into an executive session at 7:30 p.m., seconded by Wayne Stull.

Motion carried with six yes. (Chief Pechonick, Brooks, Brown, Crawford, Stull, J. Pechonick).

Council returned from Executive Session at 8 p.m.

Jenifer Pechonick moved to offer the position of bookkeeper the person recommended by Brice as a contract employee at \$10 per hour and 10 hours per week. Chet Brooks seconded the motion.

Motion carried with six yes. (Chief Pechonick, Brooks, Brown, Crawford, Stull, J. Pechonick).

Jenifer Pechonick moved to offer our current janitor a \$1.50 per hour raise and offer backup withholding. Wayne Stull seconded the motion.

Motion carried with six yes. (Chief Pechonick, Brooks, Brown, Crawford, Stull, J. Pechonick).

Discussion on Fuel Tax monies indicated the need to confirm when the compact will be renewed.

Chet Brooks moved that the non-officers (Wayne Stull, Bill Hatch, Jenifer Pechonick) be paid \$160 per week stipend plus 12.5% per year served up to \$1,500 per year. To be paid from fuel tax or from other available funds. Payments to coincide with current pay schedule. Verna Crawford seconded the motion.

Motion carried with four yes, (Chief Pechonick, Brooks, Brown, Crawford), two abstain (Stull, Pechonick)

Jenifer Pechonick moved that the officers (Chet Brooks, Jan Brown, Verna Crawford) be paid \$160 per week stipend plus 12.5% per year served up to \$1,500 per month. To be paid from fuel tax or from other available funds. Payments to coincide with current payroll schedule. Wayne Stull seconded the motion.

Motion carried with three yes (Chief Pechonick, Stull, Pechonick) and three abstain (Brooks, Brown, Crawford).

Ann asked what to do about the councilperson that will not turn in paperwork. Consensus was that he couldn't be paid without the proper paper work.
Meeting adjourned at 8:30 p.m.